

FILED
at Santa Fe, NM

SEP 4 - 2002

ROBERT M. MARCH, Clerk
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*

State Engineer,

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM

Rio Brazos, Section 7

Subfile No.: CHRB-003-0027

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

LA ASOCIACION DE AGUA DE LOS BRAZOS

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Rio Brazos, Section 7, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.

RECEIVED

AUG 6 2002

OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

6850

4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Rio Brazos, Section 7, is set forth below:

A. DOMESTIC & SANITATION (Groundwater & Surface Water Combined):

Office of the State Engineer Files No(s) RG-37112 & 3862

Priority: Reserved for future determination by court order entered November 26, 2001.

Source of Water: RG-37112: Shallow Groundwater.

LA ASOCIACION DE AGUA DE LOS BRAZOS INFILTRATION
GALLERY: Surface water of the Rio Brazos, a tributary of the Rio
Chama.

Purpose of Use: INDOOR DOMESTIC USE

Point of Diversion:

Ditch Name: LA ASOCIACION DE AGUA DE LOS BRAZOS
INFILTRATION GALLERY

Location X: 1,550,323 feet **Y:** 2,092,220 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Well No.: RG-37112

Location X: 1,549,549 feet **Y:** 2,092,339 feet

Place of Use:

Members of La Asociacion De Agua De Los Brazos

As shown on the attached revised Hydrographic Survey Map for Subfile No.:
CHRB-03-0027

Amount of Water Reserved for future determination by court order entered
November 26, 2001.

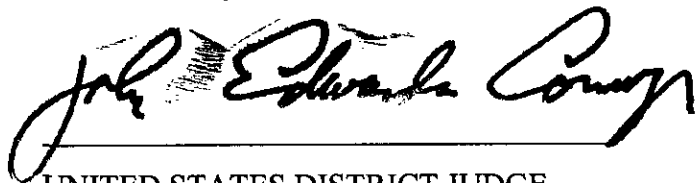
5. Defendant(s) have no water rights in the Rio Chama Stream System, Rio Brazos, Section 7, other than those set forth in this order and those other orders entered by this Court in this cause.

6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the waters of the Rio Chama Stream System, Rio Brazos, Section 7, except in strict accordance with the water rights described herein.

7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Rio Brazos, Section 7, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public waters of the Rio Chama Stream System, Rio Brazos, Section 7, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



UNITED STATES DISTRICT JUDGE

Recommended for approval:



SPECIAL MASTER

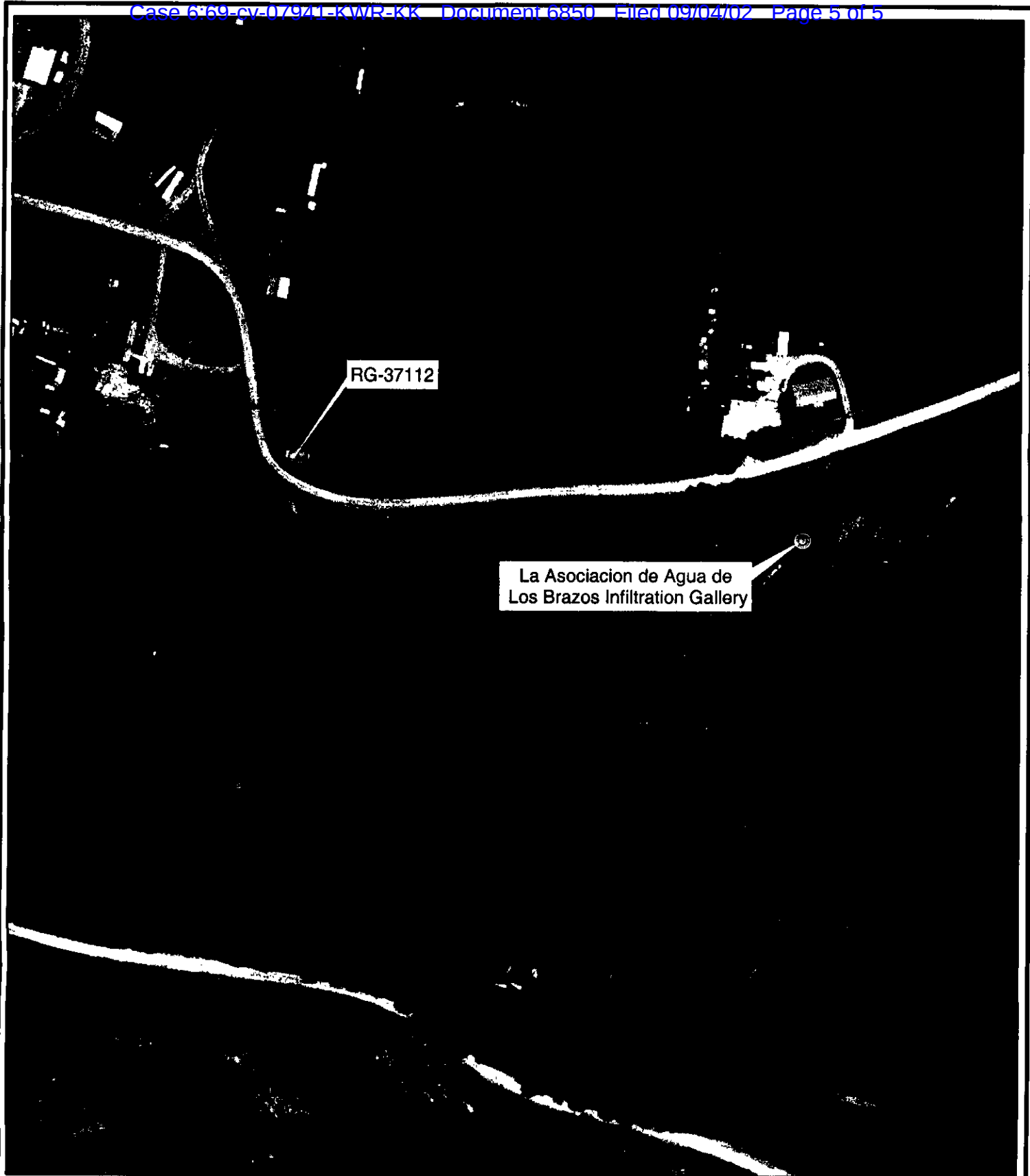
ACCEPTED: Medardo Sanchez Jr.
LA ASOCIACION DE AGUA DE LOS BRAZOS

ADDRESS: P.O. Box 96
Los Ojos, N. Mex. 87551

DATE: 7-27-02

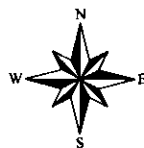
Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General

8-6-02
Date



LEGEND

- | | |
|--------------------------|--------------------|
| Irrigated Tract Boundary | Point of Diversion |
| No Right Tract Boundary | Well |
| Seeped Area | Spring |
| Operable Ditch | Fallow |
| Inoperable Ditch | No Right |
| Stock Ponds / Reservoir | |



1 inch = 200 feet
 0 50 100 200
 Feet

STATE OF NEW MEXICO
 Office of the State Engineer
 Thomas C. Turney, State Engineer

Rio Chama Hydrographic Survey
 Rio Brazos Section

Subfile Number
CHRB 003-0027
 RG-37112 & La
 Asociacion de Agua
 de Los Brazos
 Infiltration Gallery
 AMENDED June 26, 2002

